

**SUPREME COURT MINUTES
THURSDAY, SEPTEMBER 18, 2003
SAN FRANCISCO, CALIFORNIA**

S117639

C036415 Third Appellate District

UHRICH v. STATE FARM FIRE & CASUALTY

Time extended to grant or deny review

to October 20, 2003

S117778Third Appellate District
C036614

PEOPLE v. VALDEZ

Time extended to grant or deny review

to October 20, 2003

S117779

F039871 Fifth Appellate District

SMITH (ADRIENNE) v. INLAND CROP DUSTERS

Time extended to grant or deny review

to October 27, 2003

S117799

H023399 Sixth Appellate District

PEOPLE v. RIVERA

Time extended to grant or deny review

to October 24, 2003

S117816

H023158 Sixth Appellate District

MARINA, CITY OF v. BOARD OF TRUSTEES
CALIFORNIA STATE UNIVERSITY

Time extended to grant or deny review

to October 27, 2003

S117879

F038393 Fifth Appellate District

PEOPLE v. CHACON

Time extended to grant or deny review

to October 27, 2003

S117880

H023523 Sixth Appellate District

LAW v. TERAYON COMMUNICATION SYSTEMS

Time extended to grant or deny review

to October 27, 2003

S117882

F038205 Fifth Appellate District
F038295
F038296

PEOPLE v. PADILLA

Time extended to grant or deny review

to October 29, 2003

S117900

C041899 Third Appellate District

FENN v. SHERRIFF

Time extended to grant or deny review

to October 27, 2003

S117901

B157751 Second Appellate District,
Division Three

SANTA MONICA RENT CONTROL BOARD. v.
PEARL STREET LLC.

Time extended to grant or deny review

to October 29, 2003

S117911

A103055 First Appellate District,
Division Four

MCKESSON HBOC v. S.C. (OREGON)

Time extended to grant or deny review

to October 30, 2003

S117984

E031878 Fourth Appellate District,
Division Two

NEWTON v. CLEMONS (COUNTY OF SAN
BERNARDINO)

Time extended to grant or deny review

to October 20, 2003.

S056891

PEOPLE v. THOMPSON (JAMES)

Extension of time granted

to December 1, 2003 to file appellant's opening
brief.

S062259

PEOPLE v. SCULLY (ROBERT W.)

Extension of time granted

to November 21, 2003 to appellant to request
correction of the record. The court anticipates
that after that date, only two further extensions
totaling 90 additional days will be granted.
Counsel is ordered to inform the Sonoma

County Superior Court and his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record of this schedule, and to take all steps necessary to meet it.

Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S068536

PEOPLE v. MCWHORTER (RICHARD)

Extension of time granted

to November 12, 2003 to file appellant's opening brief. The court anticipates that after that date, only two further extensions totaling 120 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

S102580

STEWART (RICHARD) ON H.C.

Extension of time granted

to October 14, 2003 to file the reply to the informal response to the petition for writ of habeas corpus. Extension is granted based upon counsel Melissa Hill's representation that she anticipates filing that document by 10/14/2003. After that date, no further extension will be granted.

S107355

A096012 First Appellate District,
Division Five

LAMUSGA, MARRIAGE OF

Extension of time granted

to October 17, 2003 to file appellant's response to amicus curiae briefs filed by Leslie E. Shear, et al., and by Richard A. Warshak, Ph.D. No further extensions of time are contemplated.

S073205PEOPLE v. WILLIAMS (JACK)
Counsel appointment order filed

appointing R. Clayton Seaman, Jr. to represent
appellant for the direct appeal.

S105909B146368 Second Appellate District,
Division TwoHAGBERG v. CALIFORNIA FEDERAL BANK
Order filed

The request for judicial notice filed on May 19,
2003, is denied.

S117037FRANCISCO ON DISCIPLINE
Recommended discipline imposed: disbarred

It is hereby ordered that **GORDON ROBERT FRANCISCO, State Bar No. 93926**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. **Gordon Robert Francisco** is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S117044MESSER ON DISCIPLINE
Recommended discipline imposed: disbarred

It is hereby ordered that **SEBASTIAN CHARLES MESSER, State Bar No. 156586**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. **Sebastian Charles Messer** is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.
*(See Bus. & Prof. Code, § 6126, subd. (c).)

S117045

LAFRANCHI ON DISCIPLINE
Recommended discipline imposed

It is ordered that **ROBERT JAMES LAFRANCHI, State Bar No. 57553**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for two years on condition that he be actually suspended for 60 days. **Robert James Lafranchi** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed May 1, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2004 and 2005. (Bus. & Prof. Code section 6086.10.)

S117047

SIMMS ON DISCIPLINE
Recommended discipline imposed

It is ordered that **QUENTIN BURNELL SIMMS, State Bar No. 153454**, be suspended from the practice of law for 24 months, that execution of the suspension be stayed, and that he be placed on probation for 36 months subject to the conditions of probation, including six months actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 8, 2003. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days,

respectively, after the effective date of this order.* Costs are awarded to the State Bar and one-half of said costs shall be added to and become part of the membership fees for the years 2004 and 2005. (Bus. & Prof. Code section 6086.10.)

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S117048

QUINTANA ON DISCIPLINE

Recommended discipline imposed: disbarred

It is hereby ordered that **GREGORY LESLIE QUINTANA, State Bar No. 67208**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. **Gregory Leslie Quintana** is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S117219

SPRATT ON DISCIPLINE

Recommended discipline imposed

It is ordered that **THOMAS J. SPRATT, State Bar No. 186348**, be suspended from the practice of law for two years, that execution of suspension be stayed, and that he be placed on probation for three years on condition that he be actually suspended for 30 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed May 13, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business & Professions Code section 6086.10 and payable

in accordance with Business & Professions
Code section 6140.7.

S117223

BENNETT ON DISCIPLINE

Recommended discipline imposed

It is ordered that **Deborah Ann Bennett, State Bar No. 147733**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that she be placed on probation for two years. Respondent is further ordered to comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed on May 16, 2003. It is also ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar (Bus. & Prof. Code, § 6086.10) and shall be added to and become part of the membership fees for the year 2004.

S117224

CARLSON ON DISCIPLINE

Recommended discipline imposed

It is ordered that **KENNETH HERBERT CARLSON, State Bar No. 93602**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 25, 2003. It is further ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

S117227

FIEGEL ON DISCIPLINE

Recommended discipline imposed

It is ordered that **STEPHEN M. FIEGEL, State Bar No. 147755**, be suspended from the practice of law for two years, that execution of the suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation, including actual suspension for 10 months or until the effective date of the Supreme Court order imposing discipline, whichever is later, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on June 24, 2003. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.* Credit toward the period of actual suspension shall be given for the period of interim suspension which commenced on January 1, 2003. Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S119107

SPEER ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **ROBERT WILLIAM SPEER, State Bar No. 60040**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in

subdivisions (a) and (c) of that rule within 60 and 70 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

Bar Misc. 4186

IN THE MATTER OF THE APPLICATION OF THE
COMMITTEE OF BAR EXAMINERS OF THE
STATE BAR OF CALIFORNIA FOR ADMISSION
OF ATTORNEYS

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO
ORIGINAL ORDER)

